

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DEMETRIUS BAILEY,

Plaintiff,

v.

JURNAK, *et al.*,

Defendants.

No. 3:18-CV-01437

(Chief Judge Brann)

(Chief Magistrate Judge Mehalchick)

ORDER

MARCH 7, 2022

Demetrius Bailey, a Pennsylvania state prisoner, filed this amended civil rights complaint requesting injunctive relief on the ground that numerous defendants violated his rights.¹ In December 2021, Chief Magistrate Judge Karoline Mehalchick issued a Report and Recommendation recommending that this Court deny Bailey’s motion for partial summary judgment and grant Defendants’ motion for summary judgment, as Bailey’s request for injunctive relief was mooted by his transfer to a different prison.² Bailey filed timely objections to the Report and Recommendation.³

“If a party objects timely to a magistrate judge’s report and recommendation, the district court must ‘make a de novo determination of those portions of the report

¹ Doc. 19.

² Doc. 161.

³ Docs. 163, 167, 168.

or specified proposed findings or recommendations to which objection is made.’”⁴

Regardless of whether timely objections are made, district courts may accept, reject, or modify—in whole or in part—the magistrate judge’s findings or recommendations.⁵ After conducting a *de novo* review of the Report and Recommendation, the Court finds no error in Chief Magistrate Judge Mehalchick’s recommendation that Bailey’s request for injunctive relief is now moot and, as a consequence, that Defendants’ motion for summary judgment should be granted.

Consequently, **IT IS HEREBY ORDERED** that:

1. Chief Magistrate Judge Karoline Mehalchick’s Report and Recommendation (Doc. 161) is **ADOPTED**;
2. Bailey’s motion for partial summary judgment (Doc. 147) is **DENIED**;
3. Defendants’ motion for summary judgment (Doc. 151) is **GRANTED**;
4. Judgment is entered in favor of Defendants; and
5. The Clerk of Court is directed to **CLOSE** this case.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

Chief United States District Judge

⁴ *Equal Emp’t Opportunity Comm’n v. City of Long Branch*, 866 F.3d 93, 99 (3d Cir. 2017) (quoting 28 U.S.C. § 636(b)(1)).

⁵ 28 U.S.C. § 636(b)(1); Local Rule 72.31.